



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

JRE
Docket No: 4235-99
18 December 2000

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 30 November 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 10 June 1998. You were hospitalized from 4 to 6 November 1998, and given diagnoses of adjustment disorder with depressed mood, borderline personality disorder, low back pain, and sinusitis. The report of hospitalization indicates, in part, that you had experienced chronic, intermittent suicidal ideation since first grade. In addition, you had a history of self-mutilation, intense fear of abandonment and chronic mood swings, none of which you disclosed on the Report Medical History you completed on 30 April 1998, prior to enlisting. Your treating physicians concluded that you were unsuitable for further service, and recommended that you be discharged because of personality disorder. Formal separation action was initiated by your commanding officer on 20 November 1998, prior to your completion of 180 days of active duty, while you were in an entry level status, and you were discharged on 17 December 1998, with an entry level separation.

The Board noted that you were not entitled to a characterized discharge, notwithstanding your completion of more than six months of active duty service, because separation

processing was initiated while you were in an entry level status. It concluded that although you suffered from a back condition during your brief period of service, you have not demonstrated that you were unfit for further service by reason of physical disability because of that condition. It noted that the mere existence of a physical condition such yours does not entitle a service member to disability separation or retirement from the service, absent a finding that the member is unfit by reason of physical disability because of the condition, and that it was incurred in or aggravated by military service.

In view of the foregoing, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director